

New Starts Bi-Weekly Briefing – October 27, 2009

Notes: Bring scorecard to each meeting.

TRO-2, TRO-8, and TRO-9, participated via teleconference.

New Jersey, Access to the Region's Core

- New Jersey Transit (NJT) wants a second early systems work agreement (ESWA) of \$200.0 million for funding through October 1, 2010.
- NJT believes the Administrator told them they would get an ESWA whether or not commitment authority would be available.
- The Administrator stated that he did not commit giving funds to NJT regardless of the amount or source. He noted a June e-mail message that supports his statement, which was non-committal and clarified that FTA was awaiting Congressional action.
- If we fund everything in last year's budget, then no additional funding would be available for this project.
- The Palisades contract is scheduled for approval in December.
- NEXT STEP/ACTION ITEM:
 - FTA can send an e-mail message to NJT. The message can state that the Administrator did not commit extra funds to the project. The Administrator would like to review the message.
 - TRO-2 would like to add to the message that FTA will not award an ESWA until the bids have been received.

Oakland, Airport Connector

- FTA is waiting for additional information from BART (Bay Area Rapid Transit).
- BART would like preliminary engineering (PE) and final design (FD) approval as an exempt project.
- FTA has not assured the grantee that they will receive funds.
- They are working towards action prior to a December 3rd Board meeting.
- NEXT STEP/ACTION ITEM:
 - FTA will internally conduct a financial review, rather than hire a contractor.

Houston, University Corridor

- Metro is waiting to see if the 10-day notice will go forward.

Northern New Jersey, Access to the Region's Core

- Plaintiffs have dismissed NEPA (National Environmental Protection Act) litigation.

San Francisco, BART to San Jose

- Will the Administrator agree to a total of \$900.0 million in New Starts funds and \$150.0 million in annual payouts? FTA practice has been to fund projects with \$750.0 million to \$850.0 million in total New Starts funds.
- FTA would need to monitor payouts.

Honolulu

- The city aspires to groundbreaking this year.
- The Federal Aviation Administration (FAA) is concerned about clearance zones. FTA is uncertain if FAA is ready to sign-off on the alignment.
- National Trust and Advisory Council issues are nearing closure.
- Completion of the final environmental impact statement depends on matters such as printing, distribution, and shipment to the Environmental Protection Agency.
- TRO-09 has drafted a letter related to the design-build contractor. The letter will note that FTA will not consider a letter of no prejudice (LONP) while the project is in PE.
- The Administrator advised not giving a schedule for anything for the project.
- The Transportation Commissioner likes the idea of FTA sending a letter stating the need to prepare a SSO.
- We now require a SSO in the design phase.
- Can the grantee get a LONP for construction prior to preparation of the SSO?
- A safety plan is needed for the project management plan.
- NEXT STEP/ACTION ITEM:
 - A quarterly meeting will be held in Honolulu on November 3rd.

Denver, East Corridor

- Both the East Corridor and Gold Line terminate at Denver Union Station.
- Previously, FTA has told the Regional Transportation District (RTD) that we would rate each project separately and process two Full Funding Grant Agreements (FFGAs).
- The request for proposal that is out now presumes two Notices to Proceed (NTP).
- RTD would like an ESWA for the first NTP.
- The ESWA would signal to bidders an anticipated FFGA. An ESWA could minimize project costs.
- The grantee anticipates an FFGA or FFGAs in 2011.
- According to RTD, the grantee can get private equity funds upfront so they can proceed with work.
- Maybe FTA could consider an ESWA for a small part of the request and a LONP, rather than an ESWA, for a larger segment.
- The Administrator would like to know, "Why does the operator need a piece of the action?"
- TRO-8 thinks that including the projects in the fiscal year 2011 budget would send a good signal.
- NEXT STEP/ACTION ITEM:
 - FTA needs an internal meeting next week to talk about the projects.

Houston, University Corridor

- Staff mentioned that TOA has the PE package.

BART to the Airport

- TRO-9 is asking for information about this project.

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